

**REMARKS**

Claims 1-20 are pending in the subject application.

Applicants have amended claims 1, 10, 12, 16, and 20. The changes to the claims made herein do not introduce any new matter.

Applicants appreciate the Examiner's prompt allowance of claims 11, 13-15, and 17-19 and the Examiner's prompt indication that claim 10 defines allowable subject matter. Applicants have rewritten claim 10 in independent form to place this claim in condition for immediate allowance. Applicants' responses to the 35 U.S.C. § 101 rejections entered in the Office Action are set forth below in the following discussion.

Applicants respectfully request reconsideration of the rejection of claims 1-9 under 35 U.S.C. § 101 as lacking patentable utility. Applicants have amended independent claim 1 to specify that the adjustment of the brightness value and the contrast occurs on image data stored on a memory device. As such, the method defined in claim 1 results in a useful, concrete, and tangible application and therefore satisfies the utility requirement of 35 U.S.C. § 101. Each of claims 2-9 ultimately depends from claim 1. Accordingly, Applicants submit that claims 1-9 now satisfy the utility requirement of 35 U.S.C. § 101, and request that the rejection of these claims thereunder be withdrawn.

Applicants respectfully request reconsideration of the rejection of claims 12, 16, and 20 under 35 U.S.C. § 101 as being directed toward nonstatutory subject matter. In accordance with the Examiner's suggestion, Applicants have rewritten the preambles of claims 12, 16, and 20 so that each of these claims now defines a computer readable medium having a computer program encoded thereon. Applicants submit that claims 12, 16, and 20 now define statutory subject matter under 35 U.S.C. § 101, and request that the rejection of these claims thereunder be withdrawn.

In view of the foregoing, Applicants respectfully request reexamination and reconsideration of claims 1-10, 12, 16, and 20, as presented herein, and submit that these claims are in condition for allowance, along with allowed claims 11, 13-15, and 17-19. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP042).

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, LLP

A handwritten signature in black ink, appearing to read 'Peter B. Martine', with a stylized flourish at the end.

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